

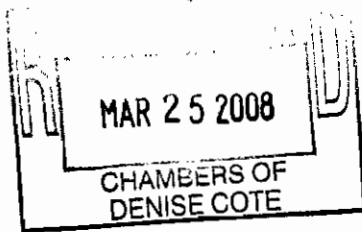
**Thacher
Proffitt**

Thacher Proffitt & Wood LLP
Two World Financial Center
New York, NY 10281
212.912.7400

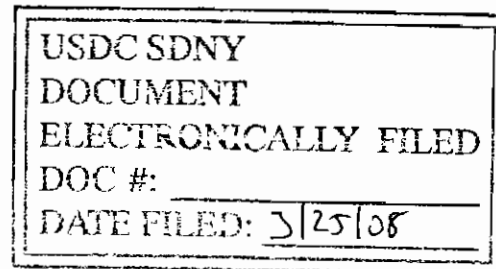
Fax: 212.912.7751
www.tpw.com

Direct Dial: 212.912.7966
CLynch@tpw.com

MEMO ENDORSED



March 24, 2008



BY HAND

The Honorable Denise Cote
United States District Judge
United States District Court for the Southern District of New York
United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007-1312

Re: DB Structured Products, Inc. v. Bayrock Mortgage Corporation 07 CV 4126

Dear Judge Cote:

Our firm is counsel to Plaintiff in the above-referenced action (the "Action") pending before Your Honor. The undersigned writes to advise Your Honor that the parties to the Action, with the assistance of Magistrate Judge Kevin Nathaniel Fox, have entered into a settlement agreement dated as of March 20, 2008 (the "Settlement Agreement") resolving the Action. Pursuant to the terms of the Settlement Agreement, Defendant will make certain monthly payments to Plaintiff. The Settlement Agreement contemplates that upon receipt of the monthly payment due no later than February 23, 2009, and assuming prior payments were timely received by Plaintiff, Plaintiff will dismiss the Action without prejudice.

In consideration of the foregoing, Plaintiff respectfully requests, with the consent of Defendant, that the Court place the Action on the Court's Suspense Docket pending the parties' stipulation of dismissal on or about February 23, 2009.

If the Court has any questions, please do not hesitate to contact me at (212) 912-7966.

*The application to place the case on
the suspense docket is denied. A
breach of a settlement agreement
must be separately pursued.
Denise Cote
March 25, 2008*

Respectfully submitted,

Christopher A. Lynch
CLynch@tpw.com

The Honorable Denise Cote
March 24, 2008

Page 2

cc:

-By Hand-
Kevin Nathaniel Fox
U.S. Magistrate Judge
United States District Court
Southern District of New York
40 Centre Street, Room 540
New York, NY 10007

-By Facsimile-
Ezio Scaldaferri, Esq.
Feder, Kaszovitz, Isaacson, Weber Skala, Bass & Rhine
750 Lexington Avenue
New York, New York 10022
Attorneys for Defendant
Bayrock Mortgage Corporation